

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers, <i>Co-Chair</i> Donald A. Migliori, <i>Co-Chair</i> Robert T. Haeefe, <i>Liaison Counsel</i> MOTLEY RICE LLC	Stephen A. Cozen, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

February 22, 2024

The Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the S.D.N.Y.
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

The Plaintiffs' Executive Committees ("PECs") and counsel for the *Ashton* Plaintiffs write to correct a misunderstanding reflected in our letter submitted to the Court last night (ECF No. 9591), which counsel for Saudi Arabia has called to our attention.

Although the only remaining issue in dispute concerns the unsealing of the two videos (ECF Nos. 9490/9543, Exhibit 10F and ECF Nos. 9490/9543, Exhibit 10K), Plaintiffs write to correct the modest misunderstanding. Our letter reflected that, as to ECF Nos. 9501-01, 9560-01, and 9560-02 (which are versions of Plaintiffs' oppositions to defendants' dispositive motions), "the parties have no redactions," and all that remained was for the FBI to review those items for proposed redactions. Saudi Arabia has asked that Plaintiffs clarify its position that it has not conceded that Saudi Arabia has no redactions to propose as to those three items and that it intends to review them within the existing schedule. Plaintiffs currently take no position on the propriety of redactions Saudi Arabia may propose, but we do not oppose Saudi Arabia's proposal as to the process.

This clarification does not change the schedule or remedy Plaintiffs proposed for reviewing ECF Nos. 9501-01, 9560-01, and 9560-02 (or any of the other documents subject to the motion to unseal). Accordingly, Plaintiffs respectfully request that the Court immediately unseal these filings in their entirety: ECF Nos. 9500, 9500-05, 9501, 9504, 9505, 9510, 9560, and 9571 and ECF No. 9543, Exhibit 10F; and immediately unseal these filings with the redactions noted herein: ECF Nos. 9500-04, -06, -07 and -08, and ECF No. 9543, Exhibit 10K. As to the remaining judicial documents before the Court on the motion to strike, ECF Nos. 9500-02, 9500-03, 9500-09, 9500-10, 9500-11, 9501-01, 9510-01, 9510-02, 9560-01, 9560-02, the parties should conduct reviews according to the agreed schedule for reviewing the parties' filings on the jurisdictional motions.

The Honorable Sarah Netburn
February 23, 2024
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Respectfully submitted,

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cc: The Honorable George B. Daniels, via ECF
All Counsel of Record via ECF